

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF DUKE ENERGY KENTUCKY,	)	
INC. FOR A DECLARATORY ORDER THAT THE	)	
CONSTRUCTION OF A NEW LANDFILL	)	CASE NO.
CONSTITUTES AN ORDINARY EXTENSION IN	)	2015-00089
THE USUAL COURSE OF BUSINESS OR, IN THE	)	
ALTERNATIVE, FOR A CERTIFICATE OF PUBLIC	)	
CONVENIENCE AND NECESSITY	)	

ORDER REGARDING REQUEST FOR CONFIDENTIAL TREATMENT

On May 8, 2015, Duke Energy Kentucky, Inc. ("Duke Kentucky"), pursuant to 807 KAR 5:001, Section 13, moved that certain materials filed with the Commission be afforded confidential treatment and not be placed in the public record subject to public inspection for ten years.

In support of its Petition for Confidential Treatment, Duke Kentucky states that the information it is requesting to be held confidential is contained in attachments to its responses to the Attorney General's Second Request for Information ("AG's Second Request"), Items 3 and 12. The information is more particularly described as the identity of third-party vendors who provided price quotes for services requested by Duke Kentucky, detailed construction costs, and sensitive market and performance data for Duke Kentucky's East Bend generating station.

Having carefully considered the petition and the materials at issue, the Commission finds that the materials contained in Duke Kentucky's attachments to responses to AG's Second Request, Items 3 and 12, meet the criteria for confidential treatment and are exempted from public disclosure pursuant to KRS 61.878(1)(c)(1)

and 807 KAR 5:001, Section 13, and should not be placed in the public record or made available for public inspection for a period of ten years from the date of this Order, or until further Orders of this Commission.

IT IS THEREFORE ORDERED that:

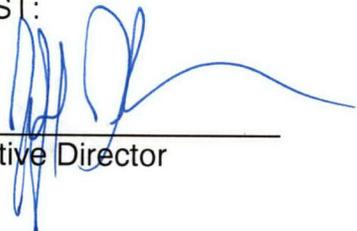
1. Duke Kentucky's Petition for Confidential Treatment is hereby granted.
2. The materials contained in Duke Kentucky's attachment to responses to AG's Second Request, Items 3 and 12, shall not be placed in the public record or made available for public inspection for a period of ten years from the date of this Order, or until further Orders of this Commission.
3. Use of the materials in question in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).
4. Duke Kentucky shall inform the Commission if the materials in question become publicly available or no longer qualify for confidential treatment.
5. If a non-party to this proceeding requests to inspect materials granted confidential treatment by this Order and the period during which the materials have been granted confidential treatment has not run, then Duke Kentucky shall have 20 days from receipt of written notice of the request to demonstrate that the materials still fall within the exclusions from disclosure requirements established in KRS 61.878. If Duke Kentucky is unable to make such demonstration, the requested materials shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.
6. The Commission shall not make the requested materials available for inspection for 20 days following an Order finding that the materials no longer qualify for

confidential treatment in order to allow Duke Kentucky to seek a remedy afforded by law.

By the Commission

ENTERED  
MAY 21 2015  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:

  
\_\_\_\_\_  
Executive Director

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